

REMARKS

Claims 1-20 now stand in the application, new claims 13-20 having been added.

Reconsideration of the application and allowance of all claims are respectfully requested in view of the above amendments and the following remarks

Claims 1-4 and 6-11 are rejected under 35 U.S.C. § 103(a) as unpatentable over *Sawdey* in view of *Tsunoda*. Claim 5 is rejected under 35 USC 103(a) as unpatentable over *Sawdey* in view of *Tsunoda*, and further in view of *Fiedziuszko et al*. These rejections are respectfully traversed.

Sawdey discloses a multiplexer having a plurality of manifolds interconnected by bandpass filters of different spectral passbands. As admitted by the Examiner, *Sawdey* fails to explicitly suggest that the filter heads are configured as to be selectively connectable either to a corresponding covering for short circuit purposes or to a respective filter tail in order to provide a full filter functionality.

The Examiner relies on *Tsunoda* as remedying these deficiencies of *Sawdey*. In particular, the Examiner argues that the switch for selectively operating in an open or short circuit manner disclosed by *Tsunoda* corresponds to the feature of providing selective connection of the filter head either to the corresponding covering plate or to the respective filter tail.

Applicant respectfully disagrees. *Tsunoda* discloses a filtering device comprising a switch which is selectively turned on so that the filtering device carries out the filtering at a transmitter or at a receiver according to the communication scheme of intermittent transmission/reception in units of time slot. This is very different from selectively connecting a

filter head either to a covering plate or to the respective filter tail. It is clear that there is no suggestion in either *Sawdey* or *Tsunoda* of reconfiguring the multiplexer (i.e. varying the number of channels without altering the response of the remaining ones). But aside from that, there is no suggestion anywhere in either of the references to selectively couple a filter head to either a short circuit or a filter tail, for *any* reason.

Moreover, if *Sawdey* and *Tsunoda* were combined as proposed by the Examiner, a multiplexer provided with a plurality of switching type filtering devices would be obtained, said filtering devices being switchable between a condition in which they carry out the filtering at a transmitter and a condition in which they carry out the filtering at a receiver. This is very different from switching the filter head between a condition in which the filter head acts as a short circuit and a condition in which it acts as a band-pass filter.

Thus, the proposed combination of *Sawdey* and *Tsunoda* would not solve the technical problem faced by the subject present application, i.e. to provide a re-configurable multiplexer which is able to vary the number of channels without altering the response of the remaining ones. And there is no suggestion in either reference to make the combination of teachings of the reference for *any* reason.

The examiner has taken a simple teaching in *Tsunoda*, i.e., operation in a short or open circuit mode, and has construed this to teach selectively connecting a filter head to either a cover plate or a filter tail, when in fact it is only hindsight reasoning which leads to the interpretation of *Tsunoda* asserted by the examiner.

While it is submitted that the previously-existing claims are patentable over the prior art, applicants have added above new independent device and method claims 12 and 13, respectively,

along with dependent claims 14-20, in which the features of the invention are claimed with a different (and maybe clearer to the Examiner) wording.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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